

## **REMARKS**

Applicant has amended the claims to clarify the distinctions provided by the invention over the rejection of claims 11-15 under 35 USC 112; the rejection of claims 1, 2, 5, 9-11 and 15 under 35 U.S.C. 102(b) as being anticipated by Murphy '910; the rejection of claims 1-5, 11-14 and 21-35 under 35 U.S.C. 102(b) as being anticipated by Cox '328; the rejection of claims 1,2,5,7, 11 and 15 under 35 U.S.C. 102(b) as being anticipated by Stewart et al. '188; the rejection of claims 6 and 16 under 35 U.S.C. 103(a) as being unpatentable over Murphy '910 and Johnson '070; and the rejection of claim 8 under 35 U.S.C. 103(a) as being unpatentable over Stewart et al. '188 in view of Murphy '910.

### **Claim Objections**

The Examiner has objected to claim 21 because the third instance of the term "a" should be changed to --said--. This correction has been made.

### **Claim Rejections – 35 USC 112**

Claims 11-15 have been rejected because the phrase "expanding said rest member" has been considered indefinite. Correction has been made.

### **Claims 1-10**

These claims have been rejected as anticipated on the basis that they show 'means for expanding' the expandable member upwardly and forwardly". Claim 1 has been amended to clarify the distinction provided by the invention.

### **Amended Claim1**

Claim 1 as amended is reproduced below, followed by a discussion of the distinctions provided by this claim over the references.

Cl. 1 (Second amended) Apparatus for supporting a body part, comprising: a rest member for said body part; an expandable member associated with said rest member; and means for expanding said expandable member upwardly and forwardly at an angle with respect to a base of said expandable member, with said body part on said rest member.

Claim 1 is directed to apparatus for supporting a body part, comprising a rest member for the body part; an expandable member associated with the rest member; and means for expanding

the expandable member upwardly and forwardly at an angle with respect to the base of the expandable member, with the body part on the rest member. This is not in the references.

Claims 2-10 define further features of independent claim 1

### **Claims 11-15**

As amended, claim 11 now reads as follows:

Cl. 11 (Second amended) The method of supporting a body part for transfer, comprising the steps of: positioning said body part on a rigid member at rest; expanding said member by a bellows to an inclined elevation with said body part supported thereon; and transferring said body part from said member.

By virtue of the amendment, the rejection under 35 USC 112 has been overcome by the deletion of "rest" as a modifier of "member" and the expansion takes place by a bellows to clarify the distinction over the references. Claims 12-15 define further features of their parent claim 11.

### **Claim 16**

As amended, claim 16 now reads as follows:

16 (Second amended) The method of fabricating apparatus for supporting a body part comprising the steps of:(a) providing a pivotal platform supportable by a tubular member pivotally attached thereto configured to said body part; and (b)associating an expandable member with said platform.

The tubular structure now required by claim 16 is not in the references.

### **Claims 17-20**

Claim 17, indicated to be allowable has been cancelled and rewritten in independent form in new claim 36. Claim 18 has been made dependent from new claim 36, and claims 19 and 20 depend from claim 18.

### **Claims 21-30**

Claim 21 has been amended to distinguish over the references, and claims 22-30 are dependent from claim 21.

### **Claims 31-35**

Parent claim 31 has been amended to recite bellows elevation, and claims 32-35 defined further features of claim 31.

**Claim 36**

This claim is the independent version of former claim 17 which was indicated to be allowable if rewritten in independent form.

**Conclusion**

With the action that has been taken it is believed that the entire case is now in condition for allowance. Because of the presentation of a further independent claim (36), a check in the amount of \$12.00 is attached to cover the fee.

The Examiner is invited to contact Applicant at the number given below if there are any questions or comments.

Respectfully submitted,



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